

REMARKS

Reconsideration and allowance for the above-identified application are now respectfully requested. Claims 136-156 and 158-177 are pending in the subject application. By this Amendment, Applicant has added new claims 179 and 180, canceled claims 137-139, 141-144, 148, 149, 151, 156-160, 164, and 165 and amended claims 136 and 155. Support for the amendments and new claims can be found throughout the subject specification and in the claims as originally filed. Entry and consideration of the amendments presented herein is respectfully requested. Accordingly, claims 136, 140, 145-147, 150, 152-155, 161-163, and 166-180 are currently before the Examiner and read on the elected invention. Favorable consideration of the pending claims is respectfully requested.

As an initial matter, Applicants gratefully acknowledge the Examiner's withdrawal of the rejections under 35 U.S.C. §§ 112, 102(e), and 103(a) and the judicially created doctrine of obviousness-type double patenting rejection.

Claims 136, 139-141, 144-147, 149-155, 158, 160-163, and 165-177 are rejected under 35 U.S.C. § 103(a) as obvious over *Sharma et al.* (1995), *Merritt* (1998), *Saneii et al.* (U.S. Patent No. 5,746,982), *Wang et al.* (1998), *Lipinski et al.* (1997). The Office Action indicates that a method that utilizes "Spotfire software" has been searched and was not found in the prior art. Accordingly, Applicant has now amended the claims to recite the use of "data mining algorithms" (e.g., Spotfire software) in the claimed method steps to place the subject application in condition for allowance and conclude prosecution of this application. Applicant expressly reserves the right to pursue any subject matter disclosed and/or previously claimed if continuation applications. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) is respectfully requested.

It should be understood that the amendments presented herein have been made solely to expedite prosecution of the subject application to completion and should not be construed as an indication of Applicant's agreement with or acquiescence to the Examiner's position. Applicant expressly reserves the right to pursue the invention(s) disclosed in the subject application, including

any subject matter canceled or not pursued during prosecution of the subject application, in a related application.

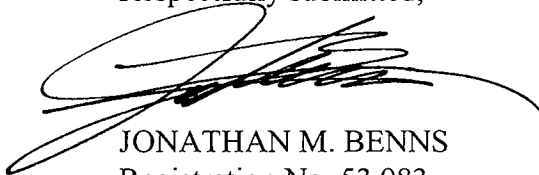
CONCLUSION

In view of the foregoing, Applicants believe the claims provided in the claim listing are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 or 1.17 as required by this paper to Deposit Account No. 23-3178.

DATED this 27 day of April 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jonathan M. Benns', with a long, sweeping horizontal line extending to the right.

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